

# **DTSC Draft Regulations Workshop for Universal Waste**

## **Consolidated Chapter 23 and Finalized Alternative Management Standards for Universal Waste Electronic Devices**

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Department of Toxic Substances Control  
June 28, 2007 (Sacramento)  
July 11, 2007 (Glendale)**

# **DTSC Draft UW Regulations**

## **Objectives of this Workshop:**

1. Background of regulation development.
2. Organization of the new consolidated version of Chapter 23.
3. The “why” that certain sections/articles were consolidated/revised.
4. Ask for stakeholder input on certain sections/topics posed in this draft.

# DTSC Draft UW Regulations

## Background:

- In 2004, DTSC adopted emergency regulations, [the alternative management standards (AMS)] to implement SB 20.
- The AMS regulations were consistent with the electronic hazardous waste and mercury UW regulations adopted in 2003.
- The AMS regulations allowed specified treatment activities for recycling universal waste electronic devices (UWEDs) without obtaining a hazardous waste facility permit.
- The first AMS emergency regulations expired in June 2006.

# DTSC Draft UW Regulations

Background continued:

- In 2004, DTSC further adopted emergency regulations (Chapter 11, Art. 5, Appendix X) that identified devices managed as “covered electronic devices.”
- Two (2) devices (LCD & plasma televisions) were added to the original list in December 2004.
- These last additions to the Appendix X regulations would have expired on January 1, 2007.

# DTSC Draft UW Regulations

Background continued:

- In 2005, DTSC adopted emergency regulations to amend the manufacturer notification requirements for the information they provide to retailers for covered electronic devices.
- The notification requirements were amended in April 2005 to make them more flexible.
- The manufacturer notification regulations would have expired on April 11, 2007.
- In June 2006, the AMS, (Chapter 11) Appendix X list, and notification regulation packages were combined into a **SINGLE** package that was adopted as emergency regulations. These regulations will expire in June 2008.

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Background continued:

- In December 2006, DTSC adopted emergency regulations to include the RoHS provisions for products sold in CA, as established in SB 20 and SB 50.
- The addition of DVD players to the list of CEDs in (Chapter 11) Appendix X were adopted as emergency regulations in Dec 2006.
- These 2 emergency regulations will expire in Dec 2008.

# DTSC Draft UW Regulations

DTSC's "final regulations" will make **PERMANENT** the 3 emergency regulations:

- AMS Regulations, (Chapter 11) Appendix X List of CEDs, and Manufacturer Notification Requirements
- RoHS provisions
- DVD players addition to Chapter 11, Appendix X.

# DTSC Draft UW Regulations

- This is your opportunity to interact with DTSC and provide input on what is or what should be required to properly and safely recycle UWs.
- This is the time to refine those areas of the regulations that have been modified based on comments received from stakeholders and DTSC staff over the last 2 years.
- This is the time to let us know what works too!



# DTSC Draft UW Regulations

## DTSC Formal Rulemaking Process

- Pre-Public Notice Development
- Initial Rulemaking Package
- 45-Day Public Notice and Comment Period  
(+ CEQA comment period)
- Public Hearing (end of 45-Day Notice Period)
- Post-Hearing Review
- Final Rulemaking Package
- OAL Review

# DTSC Draft UW Regulations

## FORMAL RULEMAKING TIMELINE

### ACTIVITIES

- Prepare Package
- Public Workshops (HQ/Glendale)
- Public Notice Period
- Review/respond to public cmts.
- 15-Day Public Notice
- DTSC Submit to OAL Review
- Effective Date

### APPROXIMATE DATE

January to Sep 2007

June/July 2007

Sept to Nov 2007

November 2007

December 2007

January 2008

Feb or March 2008

# DTSC Draft UW Regulations

- Scope of Proposed Amendments

- Chapter 10

- 66260.10: definitions added from chapter 23 for clarity

- 66260.201: manufacturer notification for CEDs  
(unchanged)

- 66260.202: RoHS provisions (unchanged)

# DTSC Draft UW Regulations

- Scope of Proposed Amendments

- Chapter 11

- 66261.4: to clarify M-listed wastes are not excluded

- 66261.9: to clarify the new listings of UW

- Article 4.1: to clarify M-listed waste language for compliance with SB 20/50

- Appendix X: to consolidate CED list from all emergency regulations (unchanged)

# DTSC Draft UW Regulations

## ■ Scope of Proposed Amendments, continued

### Chapter 14

Section 66264.1: to clarify applicability of permitting standards for universal waste handlers

### Chapter 15

Section 66265.1: to clarify applicability of permitting standards for universal waste handlers

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

### Categories of UW

#### Currently:

- 11 different types of mercury-containing wastes
- UWEDs
- CRT Materials

#### Proposed:

- Single category “mercury-containing equipment” – consistent with term used in federal UW rule
- Electronic Devices (now include CRT devices) and clarifies “major appliance” subset
- CRTs and CRT glass are separate UW categories

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

### Waste Management Standards

#### Currently:

- Article 2 Small quantity handler
- Article 3 Large quantity handler
- Article 7 CRT material handler

#### Proposed:

- Consolidate and adopt “UW handler standards”
- Article 3: UW Handler Standards
- Article 7: Authorization Requirements for UW Handlers Who Treat UW

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

### Accumulation Time

#### Currently:

- Demonstration required for extensions of one-year time limit

#### Proposed:

- Removes extension



# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

### Personnel Training

#### Currently:

- Training is required at some level for all UW handlers, although all are different

#### Proposed:

- Single training standard for all UW handlers (includes who will be trained, content of training, frequency, and documentation)

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

### Export Requirements

Currently:

- Sections 66273.20/.40/.90

Proposed:

- Consolidate and adopt export requirements that are consistent with new federal rule on exports of CRT, CRT device, and CRT glass

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued  
Chapter 23

## Destination Facilities

### Currently:

- Permitted facilities must manage UW as hazardous waste

### Proposed:

- Allow certain destination facilities to store/accumulate certain UWs under chapter 23 requirements and only for storage/accumulation prior to treatment

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued

## Chapter 23

Annual Reports for UW Handlers who treat EDs and CRTs

Currently:

- Requires certain types and quantities of waste to be reported

Proposed:

- Will require inclusion of information regarding scrap metal and other exempt wastes shipped offsite

# DTSC Draft UW Regulations

- Scope of Proposed Amendments, continued  
Chapter 23

## Closure Requirements for UW Treatment Facilities

### Currently:

- Limited closure requirements for certain types of recycling activities (CRT materials)

### Proposed:

- Closure plan
- Closure cost estimates
- Financial Assurance and Financial Responsibility
- Release of financial mechanism

# **DTSC Draft UW Regulations**

**Comments  
Requested**

# DTSC Draft UW Regulations

Please format your comments to:

- Provide the specific section number(s) from the draft text language
- Provide the specific language for which you have a comment
- Be specific to the content of your comment
- Provide suggested language changes, preferably in underline and ~~strikeout~~ formats
- Include examples

# DTSC Draft UW Regulations

- Additional Feedback
- DTSC requests your written comments on this workshop to be submitted no later than **August 17, 2007.**

Written comments may be submitted to:

Mailed: DTSC, 11<sup>th</sup> Floor, MS-11A  
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